

AGENDA
Interested Persons Meeting
Fair Political Practices Commission
428 J Street, Suite 800
Sacramento, California 95814
Wednesday, March 14, 2012, 10:30 a.m.

Discussion of Regulation 18701, Public Official Definition

Fair Political Practices Commission (“the Commission”) staff will be holding an interested persons meeting on March 14, 2012 at 10:30 a.m. to solicit general public comment and suggestions on Regulation 18701 regarding the definition of “public official.”

Staff invites your comments and suggestions as we consider whether the definition of “consultant” as defined in Section 18701(a)(2) would be more useful with changes or as it is. Staff has identified that this regulation may create confusion for those state agencies that hire outside contractors to perform public work. Consequently, we welcome your ideas as we move forward in a continuing effort to clarify and simplify regulations pertaining to the implementation of the Political Reform Act (the “Act”).

Regulation 18701(a) states:

- (2) “Consultant” means an individual who, pursuant to a contract with a state or local government agency:
 - (A) Makes a governmental decision whether to:
 - (i) Approve a rate, rule, or regulation;
 - (ii) Adopt or enforce a law;
 - (iii) Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement;
 - (iv) Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract that requires agency approval;
 - (v) Grant agency approval to a contract that requires agency approval and to which the agency is a party, or to the specifications for such a contract;
 - (vi) Grant agency approval to a plan, design, report, study, or similar item;
 - (vii) Adopt, or grant agency approval of, policies, standards, or guidelines for the agency, or for any subdivision thereof; or
 - (B) Serves in a staff capacity with the agency and in that capacity participates in making a governmental decision as defined in regulation 18702.2 or performs the same or substantially all the same duties for the agency that would otherwise be performed by an individual holding a position specified in the agency's Conflict of Interest Code under Government Code section 87302.

You may participate in this interested persons meeting in person or by teleconference by calling (888) 751-0624; access code 723284. For questions about participating by phone, you may contact Virginia Latteri-Lopez at (916) 322-5660. The Commission also invites written comments addressing these topics. Comments should be addressed to Heather Rowan, Commission Counsel, at the above address or this number: (916) 322-5660.